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10/623,054

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Bruce D. Burrows

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06/08/2004

Stuart O. Lowry
KELLY BAUERSFELD LOWRY & KELLEY, LLP
Suite 1650
6320 Canoga Avenue
Woodland Hills, CA 91367

EXAMINER

BLAU, STEPHEN LUTHER

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/623,054

Applicant(s)

BURROWS, BRUCE D.

Examiner

Stephen L. Blau

Art Unit

3711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
4a) Of the above claim(s) 8, 10, 11, 13, 17, 19, 20, 26, 28, 34 and 38 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-7, 9, 12, 14-16, 18, 21-25, 27, 29-33 and 35-37 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/22/03, 12/17/03, + 10/31/03
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

Type of Quick Disconnect

- a. Species 1 (Fig. 2):
- b. Species 2 (Fig. 6):
- c. Species 3 (Fig. 9):
- d. Species 4 (Fig. 11):
- e. Species 5 (Fig. 12):

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, it is uncertain what claims are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include

all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. During a telephone conversation with Mr. Stuart Lowry on 21 May 2003 a provisional election was made without traverse to prosecute the invention of species 1 (Figs. 2-5), claims 1-7, 9, 12, 14-16, 18, 21-25, 27, 29-33, and 35-37. Affirmation of this election must be made by applicant in replying to this Office action. Claims 8, 10-11, 13, 17, 19-20, 26, 28, 34, and 38 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 6, 12, 15-16, 18, 21, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Palmer.

Palmer discloses Palmer an insert (43) mounted on a shaft (Fig. 9), having a flange (Fig. 9), a socket (44) with a thrust seat (Fig. 9) for slide-fit reception of an insert, an insert and socket including interengageable flat surfaces preventing relative rotation (45-46), a connection means being a compression nut (41) interconnecting an insert with a socket, a compression nut carried by an insert having internal threads and an internal thrust shoulder, and external threads formed on a socket (Fig. 9).

5. Claims 1-2, 5-6, 9, 12, 15-16, 18, 21-22, 24-25, and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Wheeler.

Wheeler discloses an insert (20) mounted on a shaft (2), having a flange (24), a socket (19) with a thrust seat (Fig. 6) for slide-fit reception of an insert, an insert and socket including interengageable flat surfaces preventing relative rotation (Fig. 7), a connection means being a compression nut (6) interconnecting an insert with a socket, a compression nut carried by an insert having internal threads and an internal thrust shoulder, and external threads formed on a socket (Fig. 6), an insert formed of metal (Col. 4, Lns. 17-24), and a socket member is formed integrally with a hosel (Figs. 1, 6).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 14, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Parsick.

Palmer lacks an insert being made of metal and interengageable surfaces comprising spline surfaces. Parsick discloses an insert being made of metal (Col. 5, Lns. 38-44) and interengageable spline surfaces as an optional rotating joint (Fig. 7, Col. 5, Lns. 38-41). In view of the patent of Parsick it would have been obvious to modify the club of Palmer to have an insert being made of metal in order to utilize the advantages of metal material. In view of the patent of Parsick it would have been obvious to modify the club of Palmer to have interengageable surfaces comprising spline surfaces in order to use an optional rotating joint.

8. Claims 3 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Kenon.

Palmer lacks a thrust flange formed integrally with an insert. Kenon discloses a thrust flange formed integrally with shaft (Fig. 5). In view of patent of Kenon it would

have been obvious to modify the club of Palmer to have a thrust flange formed integrally with an insert in order to simplify the assembly process of a connection.

9. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Parsick and Roark.

Palmer lacks an adhesive means for mounting a thrust flange onto a shaft. Parsick discloses a thrust flange attached to a handle in various fashions (Col. 4, Lns. 59-65). Roark discloses connection parts attached using adhesive (Col. 3, Lns. 47-50). In view of the patents of Parsick and Roark it would have been obvious to modify the connection of Palmer to have an adhesive means for mounting a thrust flange onto a shaft.

10. Claims 5, 9, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Walker.

Palmer lacks a socket member being integrally formed with a hosel. Walker discloses a quick release head (Title) with a socket member being integrally formed with a hosel (Fig. 2). In view of the patent of Walker it would have been obvious to have a socket member being integrally formed with a hosel.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Roark.

Palmer lacks an adhesive means for mounting an insert onto one end of a shaft. Roark discloses an adhesive means for mounting an insert onto one end of a shaft (Col. 3, Lns. 47-50). In view of the patent of Roark it would have been obvious to modify the connection of Palmer to have an adhesive means for mounting an insert onto one end of a shaft in order to simplify the manufacturing of a shaft by making an insert separate from a shaft.

12. Claims 29, 33, and 35-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Walker and Roark.

See paragraphs above for elements of structure previously rejected by Palmer in view of Walker and Roark.

13. Claims 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Walker and Roark as applied to claims 29, 33, and 35-37 above, and further in view of Wilbur.

Palmer lacks an adapter insert being made of a metal material and a shaft formed from a nonmetallic material. Wilbur discloses an adapter insert being made of a metal material (Col. 5, Lns. 15-25) and a shaft formed from a nonmetallic material (Col. 5, Lns. 32-45). In view of the patent of Wilbur it would have been obvious to modify the club of Palmer to have an adapter insert being made of a metal material and a shaft

formed from a nonmetallic material in order to provide a portable golf set for shafts which are composite to a player.

14. Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Palmer in view of Walker and Roark as applied to claims 29, 33, and 35-37 above, and further in view of Kenon.

See paragraphs above for elements of structure previously rejected by Palmer in view of Kenon.

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Blau whose telephone number is (703) 308-2712. The examiner is available Monday through Friday from 8 a.m. to 4:30 p.m.. If the examiner is unavailable you can contact his supervisor Greg Vidovich whose telephone number is (703) 308-1513. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0858. (TC 3700 Official Fax 703-872-9306)

slb/ 4 June 2004


STEPHEN BLAU
PRIMARY EXAMINER